

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. APPLN. NO. 09/890,577

REMARKS

First, Applicant wishes to thank Examiner Foreman for the telephone interview so courteously granted to the undersigned attorney on August 19, 2005.

STATEMENT OF SUBSTANCE OF INTERVIEW

The attorney and Examiner discussed the characterizing clause of claim 1, and, in particular, amended language which would avoid readability on (anticipation by) the two-piece construction disclosed in Wilson '349. The language proposed by the attorney appears in the above claim 1 (currently amended). No agreement was reached, because Examiner Foreman said he had to gain approval of his supervisor in order to enter the claim 1 amendment for allowance of the application.

* * *

Applicant notes the **allowability** of dependent claim 5 if it is rewritten in independent form; however, Applicant requests the Examiner to hold in abeyance such rewriting until the Examiner has had an opportunity to reconsider (and withdraw) the rejection of claims 1-4 and 6 under 35 U.S.C. § 102(e) as being anticipated by Wilson '349.

Applicant respectfully submits that the proposed amendment to independent parent claim 1 clearly overcomes the rejection under 35 U.S.C. § 102(e), because the amended claim 1 (and claims 2-4 and 6) clearly are not readable on Wilson's disclosure of a **two-piece** construction.

The proposed Amendment to claim 1 clearly does not raise any new issue which would require an additional search, and was not earlier made because the proposed amendment was not

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considered necessary until Applicant read the Examiner's "Response to Arguments" in the final Office Action.

Thus, Applicant respectfully submits that the application is now in condition for allowance with all of claims 1-6; however, if the Examiner disagrees, it is respectfully requested that the Examiner **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

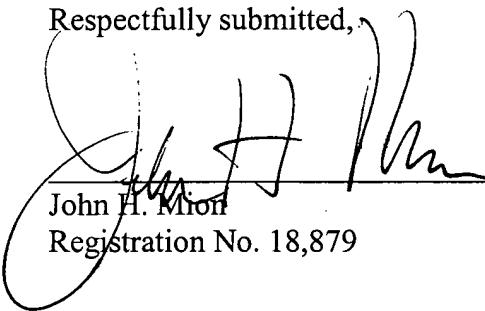
Applicant files concurrently herewith a Petition (with fee) for an Extension of Time of two months. Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

N.B. As explained to Examiner Foreman during the telephone interview, the only purpose of the IDS filed on January 11, 2005, was to submit the Form PTO/SB/08 A & B listing the references cited in the International Search Report which is already of record in this case (see the Notification

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of Acceptance of application under 35 U.S.C. § 371... mailed August 30, 2001) so that these references are printed on the face of the patent granted on this application.

Respectfully submitted,



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